

Appln. No. 10/734,155
Amd. dated March 4, 2005
Reply to Office Action of February 10, 2005



REMARKS

Applicant is further required to elect for examination purposes a single disclosed species of a metal ion.

Claims 1, 2, 5, 7-12 and 17-18 link inventions I, II and III. The restriction requirement between the linked inventions is subject to the non-allowance of the linking claims.

Applicant hereby elects Group I, methods of inhibiting the calcium ion excitation secretion cascade by administering at least one metal ion, wherein the animal to be treated suffers from an autoimmune disease which causes secretions and eruptions via the calcium cascade, currently comprising claims 3 and 13-16.

Applicant hereby elects, with traverse, a mixture of zinc and copper.

This restriction requirement is traversed on the basis of MPEP Section 803, that requires that the examiner examine the application on the merits if the search and examination of an entire application can be made without serious burden, even though it includes claims to independent or distinct invention. In the present case, all of the claims are directed to inhibiting the calcium ion excitation

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secretion cascade. That is, the mechanism of treating each of the conditions in Groups I, II and III is the same.

If the restriction requirement is maintained, it will be clear on the record that the PTO considers the three groups to be patentably distinct from one another *i.e.*, *prima facie* non-obvious from one another. This means that a reference identical to the one group would not render the other group *prima facie* obvious.

Favorable consideration is respectfully requested.

Respectfully submitted,

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